

Senate Bill 282

By: Senators Williams of the 19th, Seabaugh of the 28th and Balfour of the 9th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

To amend the Official Code of Georgia Annotated, and in particular Title 28, relating to the General Assembly, so as to recognize and accomplish certain changes in the organization of the legislative branch of government; to change provisions relating to the Legislative Services Committee, including provisions relating to the membership, powers and duties, and operations of the committee; to abolish the Legislative Budget Office and the position of legislative budget analyst; to change provisions relating to the Fiscal Affairs Subcommittees and their membership and meetings; to change provisions relative to the procedure for consideration of bills having a significant impact on state revenues or expenditures; to change provisions relative to instructional classes and courses for members of the General Assembly and the Georgia General Assembly Training Institute; to change references to certain committees of the Georgia Senate and House of Representatives in the Official Code of Georgia Annotated to conform such references to committee names as adopted by resolution by the Georgia Senate and the Georgia House of Representatives, respectively; to change references to the Legislative Budget Office in the Official Code of Georgia Annotated to the Senate Budget Office and House Budget Office; to provide for editorial revision; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I

SECTION 1-1.

Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is amended by striking subsection (a) of Code Section 28-4-1, relating to creation, membership, and operation of the Legislative Services Committee, and inserting in its place a new Code section to read as follows:

"(a) There is created the Legislative Services Committee, hereinafter called the committee, to be composed of the Speaker of the House of Representatives, the President of the

Senate, the chairperson of the Appropriations Committee of the Senate, the chairperson of the Appropriations Committee of the House of Representatives, the chairperson of the Judiciary Committee of the Senate, the chairperson of the Judiciary Committee of the House of Representatives, the chairperson of the Banking and Financial Institutions Committee of the Senate, the chairperson of the Ways and Means Committee of the House of Representatives, the President Pro Tempore of the Senate, the Speaker Pro Tempore of the House of Representatives, the majority leader of the Senate, the majority leader of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives, the Secretary of the Senate, and the Clerk of the House of Representatives. The Speaker of the House of Representatives shall ~~be~~ serve as the chairperson of the committee, and the during the first year of each term of the General Assembly; and the President Pro Tempore of the Senate shall serve as the chairperson of the committee during the second year of each term of the General Assembly. The Secretary of the Senate shall be secretary of the committee during the year in which the Speaker of the House of Representatives serves as chairperson; and the Clerk of the House of Representatives shall be secretary of the committee during the year in which the President Pro Tempore of the Senate serves as chairperson."

SECTION 1-2.

Said Title 28 is further amended by striking subsections (b), (e), and (g) of Code Section 28-4-2, relating to powers and duties of the Legislative Services Committee, and inserting in their respective places new subsections to read as follows:

"(b) The committee shall have complete control, authority, and jurisdiction over the rooms, chambers, offices, and other areas on the third and fourth floors of the state capitol building and on the mezzanine between the third and fourth floors. The Senate shall have complete control, authority, and jurisdiction over the second and third floors of the Legislative Office Building and the House of Representatives shall have complete control, authority, and jurisdiction over the fourth, fifth, and sixth floors of the Legislative Office Building. All assignments for the use of such rooms, chambers, offices, and other areas by the General Assembly, the Senate, the House of Representatives, committees of the Senate and the House, members of the Senate and the House, and agencies, officials, and employees of the legislative branch of government shall be made by the committee or under such procedure as the committee shall provide. Any assignment shall be subject to change by the committee. Use of any such room, chamber, office, or other area, other than as provided above, shall be under such procedure as the committee shall provide."

1 "(e) The committee shall contract with a licensed certified public accountant or certified
2 public accounting firm to conduct annually in accordance with accepted accounting
3 principles a financial audit of legislative funds and expenditures identified by the
4 committee. ~~Such audit shall detail the expenditures of the following offices of the~~
5 ~~legislative branch: Lieutenant Governor, Secretary of the Senate, Senate, Speaker of the~~
6 ~~House of Representatives, Clerk of the House of Representatives, House of~~
7 ~~Representatives, Office of Legislative Counsel, Office of Legislative Budget Analyst, and~~
8 ~~Office of Legislative Fiscal Officer."~~

9 "(g) A copy of the minutes of the meetings of the committee and of the audits provided for
10 in this Code section shall be made available for public inspection in the office of the
11 ~~Speaker of the House of Representatives, in the office of the President of the Senate, in the~~
12 ~~office of the~~ Clerk of the House of Representatives; and in the office of the Secretary of the
13 Senate. Upon the request of a member of the General Assembly, a copy of the minutes of
14 a meeting of the committee shall be sent to such member."

SECTION 1-3.

16 Said Title 28 is further amended by striking Code Section 28-4-6, relating to employment,
17 powers, and duties of legislative fiscal officer and legislative budget analyst, and inserting
18 in its place a new Code section to read as follows:

19 "28-4-6.

20 (a) The Legislative Services Committee is authorized to employ a legislative fiscal officer
21 for the legislative branch of government, and the fiscal officer and personnel to assist him
22 or her shall be a part of the Office of Legislative Counsel. The fiscal officer shall act as the
23 bookkeeper-comptroller for the legislative branch of government and shall maintain an
24 account of legislative expenditures and commitments. He or she shall maintain an inventory
25 of the equipment, furnishings, and nonexpendable items belonging to the legislative
26 branch. He or she shall prepare and sign vouchers pertaining to the expenditure of
27 legislative funds. He or she shall prepare and sign all warrants for the expenditure of funds
28 appropriated to and available to the legislative branch of government. Such warrants shall
29 be paid by the fiscal officer, and it shall not be necessary that they be countersigned by the
30 Comptroller General. All payments from funds appropriated to the legislative branch of
31 government shall be made by the fiscal officer, and reference in any other law to any other
32 official or person in connection with any duties pertaining to such payments shall be
33 deemed to refer to the fiscal officer; all duties of any such other official or person in
34 connection therewith are transferred to the fiscal officer. The fiscal officer shall be under
35 such bond as the Legislative Services Committee shall prescribe, and the premium thereon

shall be paid from funds appropriated to the legislative branch of government. The fiscal officer shall have such other duties as shall be prescribed by the committee.

~~(a.1)~~(b) The legislative fiscal officer is authorized on behalf of the legislative branch to pay any properly authorized invoice which does not exceed \$5,000.00. Any invoice which exceeds \$5,000.00 may not be paid by such fiscal officer without prior approval from the committee. The committee may provide for such approval to be given at meetings of the committee, or in writing between meetings by a majority of the members of the committee, or in such other manner as the committee may establish. All invoices shall contain in detail a description of the work performed, materials used or purchased, and any other information pertinent to the obligation. Before the fiscal officer may pay any invoice, a requisition or purchase order covering such invoice and signed by the person or persons authorized by the Legislative Services Committee to do so plus evidence of delivery must have been submitted to the fiscal officer. A list of all invoices which have been paid shall be submitted by the fiscal officer to the committee on a monthly basis.

~~(b) The Legislative Services Committee is authorized to employ a legislative budget analyst to assist the General Assembly and its committees in connection with appropriations and budgetary matters. The legislative budget analyst shall render assistance and give advice to the appropriations committees of the Senate and the House of Representatives. He is authorized to request information and material from all state departments, boards, bureaus, commissions, committees, authorities, and agencies in connection with his duties; and all such departments, boards, bureaus, commissions, committees, authorities, and agencies are directed to furnish such information and material as he shall request. The legislative budget analyst shall perform such other duties as the General Assembly, the Legislative Services Committee, and the appropriations committees shall prescribe.~~

(c) A majority vote of the total membership of the Legislative Services Committee shall be necessary to employ the legislative fiscal officer ~~and the legislative budget analyst.~~"

SECTION 1-4.

Said Title 28 is further amended by striking Code Section 28-4-7, relating to personnel, offices, and supplies for the legislative counsel, legislative fiscal officer, and legislative budget analyst, and inserting in its place a new Code Section to read as follows:

"28-4-7.

The Office of Legislative Counsel; and the Office of Legislative Fiscal Officer; ~~and the Office of Legislative Budget Analyst~~ shall be under the budgetary control of the Legislative Services Committee. The committee shall provide procedures for the employment of

1 personnel to assist the legislative counsel; and the legislative fiscal officer, ~~and the~~
 2 ~~legislative budget analyst~~; and those ~~three~~ two officials and such personnel shall be
 3 compensated under such procedure as the committee shall provide. The ~~three~~ two officials
 4 shall have supervision of personnel in their offices relative to the duties of their
 5 employment. The committee shall provide office space for the ~~three~~ offices and furnish
 6 them with supplies, materials, furniture, furnishings, books, equipment, and services. The
 7 committee shall decide the disposal or distribution of unused furniture, furnishings, books,
 8 equipment, and services in any current or former joint office."

9 SECTION 1-5.

10 Said Title 28 is further amended by striking Code Sections 28-5-21 and 28-5-22, relating to
 11 members and meetings of the Fiscal Affairs Subcommittees of the Senate and House, and
 12 inserting in their place new Code sections to read as follows:

13 "28-5-21.

14 (a) The Fiscal Affairs Subcommittee of the Senate shall be composed of:

15 (1) Four incumbent members of the Senate Appropriations Committee who were
 16 reelected, to be selected by the ~~President-Elect of the Senate, if there be one, or if not, by~~
 17 ~~the President of the Senate~~ President-Pro-Tempore-Nominate (the member or
 18 member-elect of the Senate who has been nominated as President Pro Tempore in the
 19 caucus of the political party having a majority of the members elected to the Senate in the
 20 general election);

21 (2) Five incumbent members of the Senate who were reelected, to be selected by the
 22 Governor; and

23 (3) The Lieutenant Governor-Elect, if there be one, or if not, the Lieutenant Governor.

24 (b) The Fiscal Affairs Subcommittee of the House of Representatives shall be composed
 25 of:

26 (1) Four incumbent members of the House Appropriations Committee who were
 27 reelected, to be selected by the Speaker-of-the-House-Nominate (that is, the member or
 28 member-elect of the House who has been nominated Speaker in the caucus of the political
 29 party having a majority of the members elected to the House of Representatives in the
 30 general election);

31 (2) Five incumbent members of the House who were reelected, to be selected by the
 32 Governor; and

33 (3) The Speaker-of-the-House-Nominate, as defined in paragraph (1) of this subsection.

34 (c) The members of each of these subcommittees shall be selected within 30 days after
 35 each general election for members of the General Assembly.

(d) Each such subcommittee shall serve until the successor subcommittee is composed and appointed after each successive general election for members of the General Assembly.

28-5-22.

The Fiscal Affairs Subcommittee of the Senate shall meet from time to time at the call of the President of the Senate or the ~~chairman~~ chairperson of the Senate subcommittee; and the Fiscal Affairs Subcommittee of the House shall meet from time to time at the call of the Speaker of the House of Representatives or the ~~chairman~~ chairperson of the House subcommittee. Such subcommittees may meet jointly at the call of the Lieutenant Governor and the Speaker or of the respective subcommittee ~~chairmen~~ chairpersons.

SECTION 1-6.

Said Title 28 is further amended by striking subsection (b) of Code Section 28-5-42, relating to legislative procedures for bills having significant impact upon anticipated revenues or expenditures, and inserting in its place a new subsection to read as follows:

"(b) In the event any bill having a significant impact as described in paragraph (1) of subsection (a) of this Code section is introduced after the twentieth day of any session, it shall not be considered or acted upon in any manner by either the Senate or the House of Representatives. The ~~President~~ Parliamentarian of the Senate shall decide whether a bill which is introduced in the Senate falls within this category; and the Speaker of the House of Representatives shall decide whether a bill which is introduced in the House of Representatives falls within this category. The ~~President~~ Parliamentarian of the Senate shall have the same right of decision on House bills which reach the Senate; and the Speaker of the House of Representatives shall have the same right of decision on Senate bills which reach the House of Representatives."

SECTION 1-7.

Said Title 28 is further amended by striking Code Section 28-11-3, relating to definitions applicable to instructional classes and courses for members of the General Assembly, and inserting in its place a new Code section to read as follows:

"28-11-3.

As used in this chapter, the term:

(1) 'Board' means the board of the Georgia General Assembly Training Institute.

(2) 'Institute' means the Georgia General Assembly Training Institute.

(3) 'Member of the General Assembly' means either an incumbent member or member-elect of the House of Representatives or Senate.

(4) ~~'Vinson Institute' means the Carl Vinson Institute of Government of the University of Georgia."~~

SECTION 1-8.

Said Title 28 is further amended by striking Code Sections 28-11-5 and 28-11-6, relating to the Georgia General Assembly Training Institute and its governance, and inserting in their place new Code sections to read as follows:

"28-11-5.

(a) There is created and established in the legislative branch of government the Georgia General Assembly Training Institute. All costs of operating and conducting the institute shall be paid for from state funds appropriated for such purposes or from other such funds as become available.

(b) ~~With professional staff assistance from the Vinson Institute, the~~ The board shall have the power, duty, and authority to design, implement, and administer the course of training and education authorized by Code Section 28-11-4. The board may contract with any capable entity or organization for professional assistance in designing, implementing, and administering the course of training pursuant to Code Section 28-11-7.

(c) The courses of training and education authorized by Code Section 28-11-4 shall be conducted ~~by the institute~~ under such rules, regulations, procedures, policies, requirements, and standards as prescribed from time to time by the board. ~~The~~ An initial course shall be held each biennium ~~shall be the current Biennial Institute for Georgia Legislators at the University of Georgia's Center for Continuing Education in Athens. Participation in the Biennial Institute~~ initial course shall be required to participate in other courses conducted ~~by the institute~~, except as provided in subsection (d) of this Code section.

(d) The board shall establish guidelines and procedures to permit any member of the General Assembly who is unable to attend or complete one or more of the courses of training and education offered by the institute due to medical disability, providential cause, or any other reason deemed sufficient by the board to participate in the remaining courses of education and training provided for under Code Section 28-11-4 for the biennium.

(e) The board shall perform such other duties and have such other powers and authority as may be necessary and proper or as prescribed by general law.

28-11-6.

(a) The institute shall be under the direction and supervision of the board of the Georgia General Assembly Training Institute. The board shall have the power and duty to organize

1 and advise the institute so that the institute is operated in accordance with the provisions
2 of this chapter.

3 (b) The board shall consist of ~~seven members and shall be composed of~~ six members
4 appointed by the Legislative Services Committee ~~and the director of the Vinson Institute~~
5 ~~who shall serve as an ex officio, nonvoting member~~. In appointing members of the board,
6 the Legislative Services Committee shall select three members from each house and shall
7 attempt to broadly reflect the composition of the General Assembly."

8 **PART II**

9 **SECTION 2-1.**

10 The Official Code of Georgia Annotated is amended by striking from the following Code
11 sections the phrases "Agriculture Committee of the Senate", "Senate Agriculture
12 Committee", and "Committee on Agriculture of the Senate" wherever the same shall occur
13 and inserting in lieu thereof, respectively, the phrase "Senate Agriculture and Consumer
14 Affairs Committee":

15 (1) Code Section 2-4-7, relating to an advisory board to the Georgia Seed Development
16 Commission;

17 (2) Code Section 2-8-14, relating to the composition, appointments, memberships, and
18 compensation of the agriculture commodity commissions;

19 (3) Code Section 4-15-1, relating to the establishment of a dog and cat reproductive
20 sterilization support program; and

21 (4) Code Section 27-4-253, relating to the creation, membership, and operation of the
22 Aquaculture Development Commission.

23 **SECTION 2-2.**

24 Code Section 2-7-113.1 of the Official Code of Georgia Annotated, relating to local
25 regulation of pesticides and variances from regulations of the Commissioner of Agriculture,
26 is amended by striking subsection (b) in its entirety and inserting in lieu thereof the
27 following:

28 "(b) The governing authority of any county or municipality may, by resolution, petition
29 the Commissioner of Agriculture for a variance from a rule or regulation of the
30 Commissioner because of special circumstances relating to the use or application of a
31 pesticide. If such a petition is received by the Commissioner, it shall be the duty of the
32 Commissioner to notify the President of the Senate, the Speaker of the House of
33 Representatives, and the ~~chairmen~~ chairpersons of the Agriculture and Consumer Affairs

Committee and Natural Resources and the Environment Committee of the Senate and the Agriculture and Consumer Affairs Committee and the Natural Resources and Environment Committee of the House of Representatives that such petition has been received. The Commissioner shall conduct a public hearing on such petition and issue a decision on the requested variance within 60 days of the receipt of the petition. If a decision is not given within 60 days of the receipt of the petition, the variance shall automatically be granted. The Commissioner may grant a variance requested under this subsection with or without changes."

SECTION 2-3.

The Official Code of Georgia Annotated is amended by striking from the following Code section the phrase "Corrections, Correctional Institutions and Property Committee of the Senate" wherever the same shall occur and inserting in lieu thereof the phrase "Senate State Institutions and Property Committee":

(1) Code Section 42-5-53, relating to the establishment of county correctional institutions and the supervision and operation of such institutions.

SECTION 2-4.

The Official Code of Georgia Annotated is amended by striking from the following Code section the phrase "Senate Defense, Science and Technology Committee" wherever the same shall occur and inserting in lieu thereof respectively the phrase "Senate Science and Technology Committee":

(1) Code Section 50-13-4, relating to the procedural requirements for adoption, amendment, or repeal of rules.

SECTION 2-5.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Senate Economic Development and Tourism Committee", "Senate Economic Development, Tourism, and Cultural Affairs Committee", "Economic Development, Tourism, and Cultural Affairs Committee of the Senate", and "Senate Committee on Economic Development and Tourism" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "Senate Economic Development Committee":

(1) Code Section 10-9-20, relating to the creation and operation of the Geo. L. Smith II Georgia World Congress Center Authority Overview Committee;

(2) Code Section 10-10-7, relating to the publication of an annual report by the Advanced Technology Development Center;

(3) Code Section 12-3-318, relating to purposes for which income, gifts, grants, appropriations, bonds, or loans may be used by the Lake Lanier Islands Development Authority;

(4) Code Section 50-12-75, relating to the designation of overview committees to review and evaluate the Aviation Hall of Fame Board; and

(5) Code Section 50-27-34, relating to the legislative oversight committee for the Georgia Lottery Corporation.

SECTION 2-6.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrase "Senate Education Committee" wherever the same shall occur and inserting in lieu thereof, the phrase "Senate Education and Youth Committee":

(1) Code Section 20-2-285.1, relating to provisions applicable to third grade criterion-referenced reading assessment students; and

(2) Code Section 20-3-519.13, relating to the creation and reporting requirements of the HOPE/Pre-K Legislative Oversight Committee.

SECTION 2-7.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Education Committees of the House of Representatives and the Senate" and "House and Senate Education Committees" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "House Education Committee and the Senate Education and Youth Committee":

(1) Code Section 20-2-212.3, relating to increasing teachers' salaries in areas of shortage and criteria for determining the shortages; and

(2) Code Section 20-3-250.5, relating to the administration and general powers and duties of the Nonpublic Postsecondary Education Commission.

SECTION 2-8.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Appropriations and Education committees of the House of Representatives and the Senate", "Education and Appropriations committees of the House of Representatives and the Senate of the General Assembly" and "Appropriations and Education committees of the House of Representatives and Senate of the General Assembly"

1 wherever the same shall occur and inserting in lieu thereof, respectively, the phrase
2 "Appropriations Committees of the House of Representatives and the Senate, the House
3 Education Committee, and the Senate Education and Youth Committee":

- 4 (1) Code Section 20-2-250, relating to projects to improve effectiveness;
5 (2) Code Section 20-2-260, relating to capital outlay funds generally; and
6 (3) Code Section 20-2-321, relating to expense record requirements.

7 **SECTION 2-9.**

8 The Official Code of Georgia Annotated is amended by striking from the following Code
9 sections the phrase "House and Senate Education Committees" wherever the same shall occur
10 and inserting in lieu thereof, respectively, the phrase "House Education Committee, the
11 Senate Education and Youth Committee":

- 12 (1) Code Section 49-5-224, relating to the submission of an annual report by the
13 commissioner of human resources; and
14 (2) Code Section 49-5-227, relating to the Children and Youth Coordinating Council to
15 comment and provide recommendations on the plan for the Coordinated System of Care.

16 **SECTION 2-10.**

17 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in
18 Code Section 20-2-320, relating to the Education Information Steering Committee, by
19 striking subsection (c) in its entirety and inserting in lieu thereof the following:

20 "(c) For the purpose of this article, authorized educational agencies shall be the
21 Department of Education; the Department of Early Care and Learning; the Board of
22 Regents of the University System of Georgia; the Department of Technical and Adult
23 Education; the Education Coordinating Council; the Professional Standards Commission;
24 the State Data and Research Center and units under contract to the State Data and Research
25 Center; the Office of Student Achievement; the education policy and research components
26 of the office of the Governor; the Office of Planning and Budget; the Legislative Budget
27 Office; the House Research Office; and the Senate Research Office. Any information
28 collected over the state-wide comprehensive educational information system, including
29 individual student records and individual personnel records, shall be accessible by
30 authorized educational agencies, provided that any information which is planned for
31 collection over the system but which is temporarily being collected by other means shall
32 also be accessible by authorized educational agencies and provided, further, that adequate
33 security provisions are employed to protect the privacy of individuals. All data maintained
34 for this system shall be used for educational purposes only. In no case shall information be

1 released by an authorized educational agency which would violate the privacy rights of any
2 individual student or employee. Information released by an authorized educational agency
3 in violation of the privacy rights of any individual student or employee shall subject the
4 authorized educational agency to all penalties under applicable state and federal law. Any
5 information collected over the state-wide comprehensive educational information system
6 which is not stored in an individual student or personnel record format shall be made
7 available to the Governor, ~~and the House and Senate Appropriations, Education, and~~
8 ~~Higher Education committees, the House Education Committee, and the Senate Education~~
9 ~~and Youth Committee,~~ except information otherwise prohibited by statute. Data which are
10 included in an individual student record or individual personnel record format shall be
11 extracted from such records and made available in nonindividual record format for use by
12 the Governor, committees of the General Assembly, and agencies other than authorized
13 educational agencies."

14 **SECTION 2-11.**

15 Said Title 20 is further amended in Code Section 20-14-27, relating to required reports by
16 the Office of Student Achievement, by striking subsection (b) in its entirety and inserting in
17 lieu thereof the following:

18 "(b) Each report provided for in this Code section shall be published in a format that can
19 be easily understood by parents and other members of the community who are not
20 professional educators. Such reports shall be distributed to the Governor, Lieutenant
21 Governor, the Speaker of the House of Representatives, the chairpersons of the ~~Education~~
22 ~~and Higher Education committees of the Senate and House of Representatives,~~ the House
23 Education Committee, and the Senate Education and Youth Committee, members of the
24 General Assembly, members of the state education governing boards or commissions, and
25 members of the council. In addition, such reports shall be posted on the website of the
26 office."

27 **SECTION 2-12.**

28 The Official Code of Georgia Annotated is amended by striking from the following Code
29 sections the phrases "Senate Finance and Public Utilities Committee", "Finance and Public
30 Utilities Committee of the Senate", and "Finance and Public Utilities Committee of the
31 Georgia Senate" wherever the same shall occur and inserting in lieu thereof, respectively, the
32 phrase "Senate Finance Committee":

33 (1) Code Section 36-81-8, relating to annual local government finances reports and local
34 independent authority indebtedness reports;

(2) Code Section 48-5-349.5, relating to an annual report on examination of county tax digests;

(3) Code Section 50-9-111, relating to state entities compiling an inventory of all state owned or leased buildings; and

(4) Code Section 50-16-34, relating to the powers and duties of the State Properties Commission.

SECTION 2-13.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Finance and Public Utilities Committee of the Senate" and "Finance and Public Utilities Committee of the Georgia Senate" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "Senate Regulated Industries and Utilities Committee":

(1) Code Section 46-2-23, relating to rate-making power of the Public Service Commission generally; and

(2) Code Section 46-10-3, relating to the creation of consumers' utility counsel and the appointment, qualifications, and compensation thereof.

SECTION 2-14.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Natural Resources Committee of the Senate", "Senate Natural Resources Committee", "Georgia Senate Natural Resources Committee", and "Senate Committee on Natural Resources" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "Senate Natural Resources and the Environment Committee":

(1) Code Section 12-5-287, relating to leasing of state owned marshland or water bottoms;

(2) Code Section 12-5-327, relating to the duty of the Department of Natural Resources to prepare a document reflecting the Georgia coastal management program for submission to the Governor;

(3) Code Section 12-5-443, relating to a comprehensive land and water use plan;

(4) Code Section 12-5-580, relating to the creation of coordinating committees by the Metropolitan North Georgia Water Planning District Governing Board;

(5) Code Section 12-5-581, relating to the creation of advisory councils by the Metropolitan North Georgia Water Planning District Governing Board;

- (6) Code Section 12-5-586, relating to an annual report detailing activities of the Metropolitan North Georgia Water Planning District;
- (7) Code Section 12-8-40.1, relating to tire disposal restrictions;
- (8) Code Section 12-11-11, relating to the Conservation Corps Advisory Council;
- (9) Code Section 40-2-49.1, relating to license plates promoting the Bobwhite Quail Restoration Initiative;
- (10) Code Section 40-2-86.6, relating to license plates promoting conservation and enhancement of trout populations; and
- (11) Code Section 46-1-1, relating to definitions relating to public utilities and public transportation.

SECTION 2-15.

Code Section 28-8-1 of the Official Code of Georgia Annotated, relating to the creation of the Georgia Criminal Justice Improvement Council and its membership and operations, is amended by striking paragraph (3) of subsection (a) in its entirety and inserting in lieu thereof the following:

"(3) The ~~chairmen~~ chairpersons of the Judiciary, Special Judiciary, Public Safety and Homeland Security, and ~~Corrections, Correctional State~~ Institutions and Property committees of the Senate;"

SECTION 2-16.

The Official Code of Georgia Annotated is amended by striking from the following Code section the phrase "Senate Committee on Youth, Aging, and Ecology Committee" wherever the same shall occur and inserting in lieu thereof the phrase "Senate Health and Human Services Committee":

- (1) Code Section 49-5-227, relating to the Children and Youth Coordinating Council to comment and provide recommendations on the plan for the Coordinated System of Care.

SECTION 2-17.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Health and Ecology Committee of the House of Representatives", "Health and Ecology Committee of the House", "House Committee on Health and Ecology", and "House Health and Ecology Committee" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "House Health and Human Services Committee":

- (1) Code Section 31-6-21.1, relating to procedures for rule making by the Department of Community Health;

- (2) Code Section 31-6-46, relating to an annual report by the Department of Community Health;
- (3) Code Section 31-43-4, relating to members of the Commission on Men's Health;
- (4) Code Section 44-5-150, relating to duties of Advisory Board on Anatomical Gift Procurement;
- (5) Code Section 49-4-149.1, relating to the submission by the Department of Community Health of a plan for family supplementation of Medicaid payments;
- (6) Code Section 49-5-224, relating to an annual report submitted by the commissioner of human resources;
- (7) Code Section 49-5-227, relating to the Children and Youth Coordinating Council to comment and provide recommendations on the plan for the Coordinated System of Care; and
- (8) Code Section 49-6-62, relating to the establishment of a community care unit by the Department of Human Resources.

SECTION 2-18.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Industry Committee of the House of Representatives", "Industry Committee of the Georgia House of Representatives", and "House Committee on Industry" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "House Public Utilities and Telecommunications Committee":

- (1) Code Section 46-2-23, relating to the rate-making power of the Public Service Commission generally;
- (2) Code Section 46-10-3, relating to the creation of consumers' utility counsel and the appointment, qualifications, and compensation thereof; and
- (3) Code Section 50-13-4, relating to the procedural requirements for adoption, amendment, or repeal of rules.

SECTION 2-19.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Industry Committee of the House of Representatives" and "House Committee on Industry" wherever the same shall occur and inserting in lieu thereof, respectively, the phrase "House Economic Development and Tourism Committee":

- (1) Code Section 50-5-124, relating to reports required of an advisory council to the Department of Administrative Services; and

(2) Code Section 50-12-75, relating to the designation of overview committees to review and evaluate the Aviation Hall of Fame Board.

SECTION 2-20.

The Official Code of Georgia Annotated is amended by striking from the following Code section the phrase "Journals Committee of the House of Representatives" wherever the same shall occur and inserting in lieu thereof the phrase "House Information and Audits Committee":

(1) Code Section 28-1-8, relating to salary and allowances of members and officers of the General Assembly.

SECTION 2-21.

Code Section 9-10-150 of the Official Code of Georgia Annotated, relating to grounds for continuance for a party or attorney in the General Assembly, is amended by striking such Code section in its entirety and inserting in lieu thereof the following:

"9-10-150.

A member of the General Assembly who is a party to or the attorney for a party to a case, or any member of the staff of the Lieutenant Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Speaker Pro Tempore of the House of Representatives, or the chairperson of the Judiciary Committee or Special Judiciary Committee of ~~either the Senate or of the~~ Judiciary Committee or Judiciary, Non-civil Committee of the House of Representatives who is the lead counsel for a party to a case pending in any trial or appellate court or before any administrative agency of this state, shall be granted a continuance and stay of the case. The continuance and stay shall apply to all aspects of the case, including, but not limited to, the filing and serving of an answer to a complaint, the making of any discovery or motion, or of any response to any subpoena, discovery, or motion, and appearance at any hearing, trial, or argument. Unless a shorter length of time is requested by the member, the continuance and stay shall last the length of any regular or extraordinary session of the General Assembly and during the first three weeks following any recess or adjournment including an adjournment sine die of any regular or extraordinary session. Notwithstanding any other provision of law, rule of court, or administrative rule or regulation, the time for doing any act in the case which is delayed by the continuance provided by this Code section shall be automatically extended by the same length of time as the continuance or stay covered."

SECTION 2-22.

Code Section 15-5-21 of the Official Code of Georgia Annotated, relating to promulgation of rules relating to transcripts and court reporters' fees, is amended by striking subsection (d) in its entirety and inserting in lieu thereof the following:

"(d) A rule or regulation promulgated by the Judicial Council pursuant to this Code section shall not become effective unless that council provides to the chairperson of the Judiciary Committee of the House of Representatives, the chairperson of the ~~Special~~ Non-civil Judiciary Committee of the House of Representatives, the chairperson of the Judiciary Committee of the Senate, and the chairperson of the Special Judiciary Committee of the Senate, at least 30 days prior to the date that council intends to adopt such rule or regulation, written notice which includes an exact copy of the proposed rule or regulation and the intended date of its adoption. After July 1, 1986, no rule or regulation adopted by the Judicial Council pursuant to this Code section shall be valid unless adopted in conformity with this subsection. A proceeding to contest any rule or regulation on the grounds of noncompliance with this subsection must be commenced within two years from the effective date of the rule or regulation."

SECTION 2-23.

Code Section 28-8-1 of the Official Code of Georgia Annotated, relating to the creation, membership, and operation of the Georgia Criminal Justice Improvement Council, is amended by striking paragraph (4) of subsection (a) in its entirety and inserting in lieu thereof the following:

"(4) The ~~chairmen~~ chairpersons of the Judiciary, ~~Special~~ Non-civil, Public Safety, and State Institutions and Property committees of the House of Representatives;"

PART III

SECTION 3-1.

Code Section 35-2-41.1 of the Official Code of Georgia Annotated, relating to donation or conveyance of property, equipment, or services to the Department of Public Safety, is amended by striking subsection (a) and inserting in its place a new subsection to read as follows:

"(a) Any offer to donate or convey by deed, gift, rent, lease, or other means any property, equipment, or services to the department shall be made in writing through command channels to the commissioner. If the commissioner approves the offer, he or she shall submit a written proposal of the offer to the board for its approval. A copy of the formal proposal shall be forwarded by the commissioner to the Office of Planning and Budget and

1 the ~~legislative budget analyst~~ Senate Budget Office and House Budget Office, ~~either any~~
2 of which may comment on the proposal."

3 **SECTION 3-2.**

4 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
5 is amended in Code Section 45-12-78, relating to preparation and submission of budget
6 estimates under the "Budget Act," is amended by striking subsection (b) and inserting in its
7 place a new subsection to read as follows:

8 "(b) Except as otherwise provided in this subsection, the budget estimates for the General
9 Assembly, including all the legislative agencies, shall be prepared by the Speaker of the
10 House of Representatives and the President of the Senate and such other legislative officers
11 as appropriate and shall be submitted to the director of the budget at the same time as other
12 budget estimates are submitted. The Department of Audits and Accounts, for the purpose
13 of this part, is a legislative agency and shall be construed in all respects as such; and the
14 budget estimate for said department shall be prepared by the state auditor and shall be
15 included in the budget report without revision and shall not be subject to review or control
16 by the Office of Planning and Budget. The director of the Office of Treasury and Fiscal
17 Services shall assist in the preparation of these budget estimates, if requested. Effective
18 with the budget estimates for the fiscal year beginning July 1, 1985, the budget estimates
19 for the Senate, the office of the Lieutenant Governor, and the office of the Secretary of the
20 Senate shall be prepared by the Senate; the budget estimates for the House of
21 Representatives, the office of the Speaker of the House of Representatives, and the office
22 of the Clerk of the House of Representatives shall be prepared by the House of
23 Representatives; and the budget estimates for the Office of Legislative Counsel; and the
24 Office of Legislative Fiscal Officer, ~~and the Office of Legislative Budget Analyst~~ shall be
25 prepared by the Legislative Services Committee. All of such budget estimates shall include
26 such object classes as the Legislative Services Committee shall determine, and transfers
27 of funds may be made between such object classes. Funds may also be transferred between
28 the Senate, the office of the Lieutenant Governor, and the office of the Secretary of the
29 Senate. Funds may also be transferred between the House of Representatives, the office of
30 the Speaker of the House of Representatives, and the office of the Clerk of the House of
31 Representatives. Funds may also be transferred between the Office of Legislative Counsel;
32 and the Office of Legislative Fiscal Officer, ~~and the Office of Legislative Budget Analyst.~~"

33 **SECTION 3-3.**

Said Title 45 is further amended in Code Section 45-13-22, relating to distribution of the Georgia Laws and legislative journals, by striking paragraph (25) of subsection (c) and inserting in its place a new paragraph to read as follows:

"(25) ~~Legislative budget analyst~~ Senate Budget Office and House Budget Office — one set each;"

SECTION 3-4.

Said Title 45 is further amended by repealing and reserving Code Section 45-20-7, relating to optional coverage of legislative branch employees in the classified service of the state merit system.

SECTION 3-5.

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended by striking Code Section 50-25-7.1, relating to the technology empowerment fund to be administered by the Georgia Technology Authority, and inserting in its place a new Code section to read as follows:

"50-25-7.1.

(a) The authority is authorized and directed to establish a technology empowerment fund to be administered by the authority. The fund shall consist of such moneys appropriated or otherwise available to the authority as the board may determine from time to time to deposit therein. Subject to the appropriations process, the decision-making and priority-setting responsibilities for allocating these funds are vested in the chief information officer and the director of the Office of Planning and Budget.

(b) The chief information officer is authorized to identify and select individual projects, initiatives, and systems to improve service delivery to be funded through the technology empowerment fund. Such projects shall demonstrate, to the satisfaction of the chief information officer, reduced costs through the use of technology. In identification and selection of such projects, initiatives, and systems, the chief information officer shall give priority to those which provide demonstrable cost savings and improved service delivery on a recurring basis through the employment of technology and training. Eligible projects, initiatives, and systems to receive disbursements from the technology empowerment fund may be selected from agency budget requests. Quarterly reports of the operations of the technology empowerment fund shall be required to be made to the board, the Office of Planning and Budget, and the ~~Legislative~~ Senate Budget Office and House Budget Office to ensure proper oversight and accountability.

(c) Each project or initiative developed and supported from the technology empowerment fund shall employ technology that is compatible with the architecture and standards established by the authority and shall be accounted for by a discrete account established for the individual project or initiative item in the operating budget and capital budget.

(d) A steering committee composed of the chairperson of the House Appropriations Committee or his or her designee from among the membership of the committee, the chairperson of the Senate Appropriations Committee or his or her designee from among the membership of the committee, the director of the Office of Planning and Budget, ~~the legislative budget analyst~~, the state auditor, and a representative from the Governor's office shall advise and consult with the chief information officer regarding initiatives to receive funding from the technology empowerment fund and shall receive quarterly reports from the chief information officer as to the status of funded projects."

SECTION 3-6.

Said Title 50 is further amended in Code Section 50-34-17, relating to the OneGeorgia Authority Overview Committee, by striking subsection (a) and inserting in its place a new subsection to read as follows:

"(a) There is established the OneGeorgia Authority Overview Committee to be composed of one member of the House of Representatives to be appointed by the Speaker of the House of Representatives, one member of the Senate to be appointed by the President of the Senate, and two members of the General Assembly to be appointed by the Governor; ~~and the director of the Legislative Budget Office~~. The legislative members shall serve for terms as members of the committee concurrent with their terms of office as members of the General Assembly. The first members of the committee shall be appointed by not later than July 1, 2000. Thereafter, their successors shall be appointed during the first 30 days of each regular legislative session which is held immediately following the election of members of the General Assembly."

SECTION 3-7.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrases "Legislative Budget Office," "Office of Legislative Budget Analyst," "legislative budget analyst," and "director of the Legislative Budget Office" wherever the same shall occur and inserting in lieu of each stricken phrase the phrase "Senate Budget Office and House Budget Office":

(1) Code Section 8-2-144, relating to reporting and accounting for fees imposed on the manufactured housing industry;

- (2) Code Section 15-18-12, relating to travel expenses of prosecuting attorneys;
- (3) Code Section 17-12-26, relating to budgeting for indigent defense;
- (4) Code Section 20-2-320, relating to the Education Information Steering Committee;
- (5) Code Section 20-3-133, relating to payments under the "Junior College Program of the State of Georgia;"
- (6) Code Section 28-5-42, relating to introduction and consideration of legislation having a fiscal impact;
- (7) Code Section 45-12-82, relating to periodic work programs under the "Budget Act";
- (8) Code Section 45-12-85, relating to examination of work programs and budget allotment requests under the "Budget Act";
- (9) Code Section 45-12-95, relating to certain initiatives under the "Budget Act";
- (10) Code Section 45-12-110, relating to state applications for new federal assistance programs;
- (11) Code Section 45-12-111, relating to analysis of applications for new federal assistance;
- (12) Code Section 45-12-178, relating to review and evaluation of all programs and functions in state government;
- (13) Code Section 47-20-50.1, relating to determination of funding for retirement bills; and
- (14) Code Section 50-5A-11, relating to access to certain records of the Office of Treasury and Fiscal Services.

SECTION 3-8.

The Official Code of Georgia Annotated is amended by striking from the following Code sections the phrase "Legislative Budget Office," wherever the same shall occur and inserting in lieu thereof the phrase "House Budget Office,":

- (1) Code Section 15-6-77.4, relating to reporting and accounting for certain fees in divorce cases;
- (2) Code Section 15-9-60.1, relating to reporting and accounting for certain marriage license fees;
- (3) Code Section 15-21-74, relating to assessment and collection of certain penalties in certain criminal and quasi-criminal cases;
- (4) Code Section 15-21-113, relating to assessment and collection of certain penalties in driving under the influence cases; and
- (5) Code Section 15-21A-7, relating to accounting for certain court imposed fines and fees.

PART IV

1

2

4

5